

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25573 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- UCHKAGAON District- Gopalganj

Sujit Kumar Yadav Son of Ramakant Yadav Resident of Village - Thakurai
Bairiya, P.S.- Uchakaganv, District - Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-05-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Uchakagaon Police Station Case No. 22 of 2025,
disclosing offences under Sections 317 and 3(5) of the BNS,
2023 and Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, on 23-01-2025,
during patrolling, the police received secret information that the
petitioner along with co-accused was unloading illicit liquor
from a pick-up van near village Parsauni Khas Mushar Tola.
Upon such information the police proceeded towards the place
of occurrence and saw 2 persons standing near white colour
pick-up van and on seeing the police vehicle they fled away. On



search, total 1052 liters of country made liquor has been recovered from the pick-up van bearing Reg. No. BR11GB4769 kept in a trolley. The local spy disclosed the name of the petitioner and the co-accused who managed to flee away.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. Petitioner was not present at the spot. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner's name has transpired on the basis of disclosure made by local spy. The pickup van from which illicit liquor has been recovered does not belong to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner has been made accused on the basis of disclosure of his name by a local spy and pickup van from which the illicit liquor has been recovered does not belong to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Additional District and Sessions Judge-XIII-cum-Special Excise Court No. 1, Gopalganj, in connection with Uchakagaon Police Station Case No. 22 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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